

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, CONSIDERING AN APPEAL BY ATTORNEY BARTON W. SMITH, ON BEHALF OF PROPERTY OWNER 1213 14TH STREET, UPHOLDING/DENYING THE PLANNING DIRECTOR'S BUILDING PERMIT ALLOCATION SYSTEM (BPAS) YEAR 11 AWARD LETTER DATED NOVEMBER 14 (OCTOBER 4), 2024 FOR 1213 14TH STREET; FINDING THAT THE PLANNING DIRECTOR'S DETERMINATION WAS/WAS NOT MADE IN ACCORDANCE WITH PROCEDURAL AND SUBSTANTIVE LAND DEVELOPMENT REGULATIONS AS WELL AS THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at its meeting of January 7, 2025, the City Commission, sitting as the Key West Board of Adjustment conducted a quasi-judicial hearing concerning an appeal by the property owners of 1214 14TH Street of the Planning Director's BPAS Award Letter dated November 14, 2024/October 4, 2024; and

WHEREAS, the Board of Adjustment considered the record upon which the City Planning Director rendered a decision, and provided opportunity for presentation by the appellant and the City Planner; and

WHEREAS, City Code of Ordinances section 90-431(4) requires the concurring vote of no less than four members of the Board of Adjustment/City Commission to reverse or modify the order, requirement, decision or determination of the city planner.

NOW, THEREFORE, BE IT RESOLVED BY THE BY THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the appeal of the City Planner's determination is hereby [**upheld/denied**], based upon the following finding: _____

Section 2: That the determination of the City Planner is [**upheld and affirmed/denied**] as consistent in accordance with the Land Development Regulations.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Board.

Passed and adopted by the Board of Adjustment at a meeting held this _____ day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the Board on _____ day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald "Donie" Lee	_____

DANISE HENRIQUEZ, CHAIR

ATTEST:

KERI O'BRIEN, CITY CLERK